

**THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

**DANZEL L. STEARNS, On Behalf of Himself
and All Others Similarly Situated**

PLAINTIFF

v.

Case No. 3:19-cv-00100-KGB

INMATE SERVICES CORPORATION, *et al.*

DEFENDANTS

ORDER

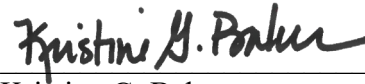
Before the Court are a motion for class certification filed by plaintiff Danzel L. Stearns, on behalf of himself and all similarly situated persons, and a motion for extension of time filed by defendants Inmate Services Corporation and Randy L. Cagle, Jr., to respond to plaintiffs' motion for class certification (Dkt. Nos. 42, 43).

Also pending before the Court is Mr. Stearns' notice of motion, supported by defendants, for preliminary approval of settlement class (Dkt. No. 57). In their most recent filing, the parties propose that the Court preliminarily approve the parties' class action settlement agreement, certify a settlement class, and direct the issuance and delivery of notice and claims forms to potential settlement class members (Dkt. No. 57). The Court has this motion under advisement and will issue a separate written Order on this motion.

Given the Court's understanding of the procedural posture of this case, at this time, the Court denies without prejudice, subject to refile, Mr. Stearns' motion for class certification and defendants Inmate Services Corporation and Randy L. Cagle, Jr.'s motion for extension of time (Dkt. Nos. 42, 43). To the extent the parties believe it is necessary under the law or circumstances of this case for the Court to consider and rule on Mr. Stearns' original motion for class certification; or to the extent the Court determines it is necessary under the law or circumstances of this case for the Court to consider and rule on Mr. Stearns' original motion for class certification before

addressing the pending motion, supported by defendants, for preliminary approval of settlement class; or to the extent this Court rejects Mr. Stearns' pending motion, supported by defendants, for preliminary approval of settlement class; or to the extent any proposed settlement is not consummated among the parties, any party may notify the Court in a written filing, and, if appropriate, the Court will set a revised briefing schedule for the refiling of and responses to Mr. Stearns' original motion for class certification.

It is so ordered this 29th day of March, 2022.

A handwritten signature in black ink, reading "Kristine G. Baker". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Kristine G. Baker
United States District Judge